Motion put and carried.

Mr. President.—The Government Advocate will be the Chairman and the Committee will report in 3 months.

The Cochin Poisons Bill.

Mr. Thomas Manjuran.—I move that the Cochin Poisons Bill be read in Council.

Mr. T. S. Narayana Ayyar.—I second it.

Motion put and carried.

Secretary to the Council.—The title of the Bill is "The Cochin Poisons Bill".

Mr. Thomas Manjuran.—I wish to say a few words with regard to this Bill. This Bill is a copy of the corresponding British Indian Act which aims at controlling the importation and traffic in poisons of all sorts. I am sure Hon'ble Members must have noticed that the Bill does not require any further investigation. The Government are given power under the Bill to publish from time to time lists of various articles that they consider to be poisonous with a view to controlling their importation and trade in them in the State. As Hon'ble Members are aware it is a highly necessary measure, because for want of it poisonous articles are coming into the State uncontrolled. I am not asking for the appointment of a Select Committee to consider this Bill because for one thing the Bill is very short and clear and for another the Bill should be passed as early as possible. I do hope that Hon'ble Members will bear with me. I move, Sir, that the Bill be taken into consideration.

Motion put and carried.

Mr. President.—The question is that clauses 2 to 9 stand part of the Bill.

Power of Government to regulate possession for sale and sale of any poison.

2. (1) The Government may by rule regulate within the whole or any part of Cochin the possession for sale and the sale, whether wholesale or retail, of any specified poison.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for—

(a) the grant of licenses to possess any specified poison for sale, wholesale, or retail and the fixing of the fee (if any) to be charged for such licenses;

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(b) the classes of persons to whom alone such licenses may be granted;

(c) the classes of persons to whom alone any such poison may be sold;

(d) the maximum quantity of any such poison which may be sold to any one person;

(e) the maintenance by vendors of any such poison of registers of sales, the particulars to be entered in such registers, and the inspection of the same;

(f) the safe custody of such poisons and the labelling of the vessels, packages or coverings in which any such poison is sold or possessed for sale; and

(g) the inspection and examination of any such poison when possessed for sale by any such vendor.

Power to prohibit importation into Cochin of any poison except under license.

3. The Government may, by notification in the Cochin Government Gazette, prohibit except under and in accordance with the conditions of a license the importation into Cochin of any specified poison, and may by rule regulate the grant of licenses.

Power to regulate possession of any poison in certain areas.

4. (1) The Government may, by rule regulate the possession of any specified poison in any local area in which the use of such poison for the purpose of committing murder or mischief by poisoning cattle appears to it to be of such frequent occurrence as to render restrictions on the possession thereof desirable.

(2) In making any rule under sub-section (1), the Government may direct that any breach thereof shall be punishable with imprisonment for a term which may extend to one year or with fine which may extend to one thousand rupees, or with both, together with confiscation of the poison in respect of which the breach has been committed, and of the vessels, packages or coverings in which the same is found.

Presumption as to specified poisons.

5. Any substance specified as a poison in a rule made or notification issued under this Regulation shall be deemed to be a poison for the purposes of this Regulation.

Penalty for unlawful importation, etc.

6. (1) Whoever—

(a) commits a breach of any rule made under section 2, or

(b) imports into Cochin without a license any poison the importation of which is for the time being restricted under section 3, or

(c) breaks any condition of a license for the importation of any poison granted to him under section 3, shall be punishable—

(i) on a first conviction, with imprisonment for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both, and

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(ii) on a second or subsequent conviction, with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

(2) Any poison in respect of which an offence has been committed under this section, together with the vessels, packages or coverings in which the same is found, shall be liable to confiscation.

Power to issue search-warrants.

7. (1) The District Magistrate, the Magistrates of the first class and Magistrates specially empowered in this behalf may issue a warrant for the search of any place in which he has reason to believe or to suspect that any poison is possessed or sold in contravention of this Regulation or any rule thereunder, or that any poison liable to confiscation under this Regulation is kept or concealed.

(2) The person to whom the warrant is directed may enter and search the place in accordance therewith, and the provisions of the Cochin Code of Criminal Procedure, 1086, relating to search warrants shall, as far as may be, be deemed to apply to the execution of the warrant.

Rules.

8. (1) In addition to any other power to make rules hereinbefore conferred, the Government may make rules generally to carry out the purposes and objects of this Regulation.

(2) Every power to make rules conferred by this Regulation shall be subject to the condition of the rules being made after previous publication.

(3) All rules made by the Government under this Regulation shall be published in the Cochin Government Gazette and on such publication shall have effect as if enacted in this Regulation.

Savings.

9. (1) Nothing in this Regulation or any license granted or rule made thereunder shall extend to, or interfere with, anything done in good faith in the exercise of his profession as such by a medical or veterinary practitioner.

(2) Notwithstanding anything hereinbefore contained, the Government may in its discretion by general or special order declare that all or any of the provisions of this Regulation shall be deemed not to apply to any article or class of articles of commerce specified in such order, or to any poison or class of poisons used for any purpose so specified.

(3) The Government may, by general or special order, either wholly or partially—

(a) exempt from the operation of any such rules, or

(b) exclude from the scope of the exemption provided by sub-section (1) any person or class of persons either generally or in respect of any poisons specified in the order.

Clauses put and carried.

Mr. President.—The question is that clause 1 stand part of the Bill.

LIBRARY ARCHIVES Kerala Legislative Assembly

1. (1) This Regulation may be called "the Cochin Poisons Regulation, of 111 ."

Short title, extent and commencement.

(2) It extends to the whole of Cochin and it shall come into force at once.

Clause put and carried.

Mr. President.—The question is that the title and preamble stand part of the Bill.

The Cochin Poisons Bill

Whereas it is expedient to make provision for regulating the importation, possession and sale of poisons throughout Cochin; It is hereby enacted as follows.—

Preamble.

Title and preamble put and carried.

Mr. Thomas Manjuran.—I beg to move that the Bill be taken up and passed tomorrow.

Mr. T. S. Narayana Ayyar.—I second it.

Motion put and carried.

Resolutions (contd.)

15. Abolition of Unapproachability and Untouchability in the State (contd.)

മിസ്റ്റർ കെ. അയ്യപ്പൻ.— സർ, ബഹുമാനപ്പെട്ട ഊരകം മെമ്പർ ഈ പ്രമേയം അവതരിപ്പിച്ചതിൽ എനിയ്ക്കു വലിയ സന്തോഷമുണ്ട്. ഇൻഡ്യയിലെ മറ്റു രാജ്യങ്ങളിൽ ഈ കാര്യത്തിൽ ഗവമ്മെണ്ടുകൾക്കുള്ള വിഷമം ഈ കൊച്ചിരാജ്യത്തില്ലെന്നുള്ളതു വളരെ ആശ്വാസകരമാണ്. ഈ നിയമസഭ ഈ പ്രമേയം രണ്ടു മൂന്നു പ്രാവശ്യം ശുപാർശ ചെയ്തുകഴിഞ്ഞു. സാധാരണ ഇങ്ങിനെയുള്ള സാമൂഹായിക കാര്യങ്ങൾ വരുമ്പോൾ പൊതുജനാഭിപ്രായം എതിരായി നില്ക്കുന്നതുകൊണ്ട് ഗവമ്മെണ്ടിനു് ഒന്നും ചെയ്യുവാൻ സാധിയ്ക്കുന്നില്ലെന്നുള്ള വിഷമമാണുള്ളതു്. എന്നാൽ കൊച്ചി ഗവമ്മെണ്ടിനു് ഈ കാര്യത്തിൽ അങ്ങിനെ ഒരു വിഷമവുമില്ല. പൊതുജനാഭിപ്രായം, പ്രത്യേകിച്ചു് ഈ കാര്യത്തിൽ അധികം എതിരായി വരുമെന്നു് പ്രതീക്ഷിയ്ക്കപ്പെടാവുന്ന ജാതി ഹിന്ദുക്കളുടെ ഇടയിലുള്ള പൊതുജനാഭിപ്രായം ഗവമ്മെണ്ടിനു സംശയംകൂടാത്ത നിലയിൽ ഈ നിശ്ചയം സ്വീകരിയ്ക്കണമെന്നു ശുപാർശചെയ്തിരിയ്ക്കുന്നു. അതു കൌശലത്തിൽനിന്നുകൊണ്ടു ചെയ്തിട്ടുള്ള ഒരു ശുപാർശയല്ല. വളരെ ഗാഢമായി ആലോചിച്ചതിന്റെശേഷം, വളരെ പ്രക്ഷോഭണങ്ങൾ നടന്നതിന്റെ ശേഷം ജനങ്ങളുടെ പ്രതിനിധികളായി വന്നിട്ടുള്ള ജാതി ഹിന്ദുക്കളുംപ്പടെയുള്ള നിയമസഭ ഗവമ്മെണ്ടിനോടാവശ്യപ്പെട്ടതു വളരെ ആവശ്യമായ ഈ പരിഷ്കാരം

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